**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU**

**THURSDAY, THE 12TH JULY 2007 / 21ST ASHADHA 1929**

**Crl.MC.No. 8551 of 2002()**
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**LP.12/1998 of JUDL.MAGISTRATE OF FIRST CLASS, PAYYOLI**
**(CRIME NO.196/1994 OF THE PAYYALI POLICE STATION.)**
**.....**

**PETITIONER: ACCUSED:**
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**SHAJAHAN. P.K. @ SHAJI,**
**S/O. SALAM, PAYYATTUMANNIL HOUSE,**
**THURAYOOR AMSOM, KOYILANDY TALUK.**

**BY ADV. SMT.K.V.RESHMI**

**RESPONDENTS: COMPLAINANT/STATE:**
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1. **THE SUB INSPECTOR OF POLICE,**
   **PAYYOLI POLICE STATION, (CRIME NO.196/94).**

2. **THE STATE OF KERALA, REPRESENTED BY**
   **PUBLIC PROSECUTOR, HIGH COURT OF KERALA,**
   **ERNAKULAM.**

**BY PUBLIC PROSECUTOR SRI.AMJAD ALI**

**THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD ON 12 /07 /2007 , THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

**CRL.MC. 8551/2002**

**ORDER ON CRL.MP. NO.6686/2002 IN CRL.MC. 8551/2002**

**DISMISSED**

**12.07.2007** **SD/- K.R.UDAYABHANU, JUDGE**

**/TRUE COPY/**

**P.A. TO JUDGE**

**tss**

**K.R.UDAYABHANU, J**

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Crl.M.C.No.8551 of 2002

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Dated this the 12th day of July, 2007

**O R D E R**

The petitioner is the accused No.13 in L.P.No. 12/98//SC No.496/02 in the court of Assistant Sessions Judge, Koyilandy with respect to the offences under Sections 143, 147, 148, 448, 527, 435 read with 149 of IPC and Sections 4 and 5 of PDPP Act.

2. It is submitted that the case with respect to the rest of the accused have already been withdrawn by the State vide application filed under Section 321 Crl.P.C. i.e., Annexure 2 petition and Annexure 3 and 4 orders of the court below. The case of the accused happened to be pending as he was working abroad.

3. The Government Pleader submitted that he has no objection in allowing the application. In the circumstances, proceedings pending in the court below against the accused vide crime No.196/94//SC No.496/02 in the court of Assistant Sessions Judge, Koyilandy is herewith quashed.

The Crl.M.C. is allowed.

**K.R.UDAYABHANU,**
**JUDGE**

csl

**K.R.UDAYABHANU, J**

CRL.R.P.No.645/1999

**ORDER**

2nd July 2007